



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,049	10/30/2003	Michael E. Landry	5259-10700US01	9609
23492	7590	01/09/2008		
ROBERT DEBERARDINE ABBOTT LABORATORIES 100 ABBOTT PARK ROAD DEPT. 377/AP6A ABBOTT PARK, IL 60064-6008			EXAMINER SWIGER III, JAMES L	
			ART UNIT 3733	PAPER NUMBER
			NOTIFICATION DATE 01/09/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Cassie.Gray@abbott.com
Patents_Abbott_Park@abbott.com
Legal_Patents@abbott.com

CT

Notice of Abandonment	Application No.	Applicant(s)	
	10/698,049	LANDRY ET AL.	
	Examiner	Art Unit	
	James L. Swiger	3733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.

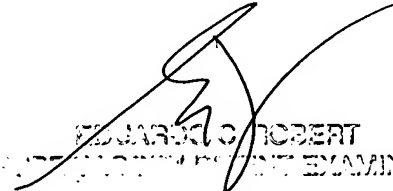
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.

4. ☒ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:


 EDWARD C. ROBERT
 ATTORNEY AT LAW
 PATENT EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Landry, *et al.*

Serial No.: 10/698,049

Filed: October 30, 2003

For: BONE FASTENER ASSEMBLY FOR A
SPINAL STABILIZATION SYSTEM

Attorney Docket No.: 5259-10700USO1

Examiner: James L. Swiger III

Group Art Unit: 3733

Certificate of Electronic Filing:

I hereby certify that this paper (along with any
paper referred to as being attached or enclosed)
is being electronically filed with the U. S.
Patent and Trademark Office on:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date of Deposit: January 4, 2008

Karen R. Smith 1/4/2008
Karen R. Smith

EXPRESS ABANDONMENT OF APPLICATION (37 CFR 1.138)

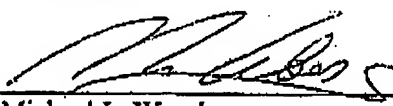
Dear Sir:

Application no. 10/698,049, filed October 30, 2003, entitled BONE FASTENER
ASSEMBLY FOR A SPINAL STABILIZATION SYSTEM, is hereby expressly
abandoned.

Please direct any questions to the undersigned at the telephone number listed below.

Respectfully submitted,
Landry, *et al.*

ABBOTT SPINE
Customer No.: 23492
Telephone: (512) 533-1945
Facsimile: (512) 597-4275


Michael L. Woods
Registration No. 50,811
Attorney for Applicants